

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MILAGROS FRANCO,

Plaintiff,

-against-

380 SECOND LLC, *et al.*,

Defendant.
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JENNIFER E. WILLIS, United States Magistrate Judge:

On January 13, 2023, Plaintiff filed a letter seeking discovery from Defendant Small Door Veterinary, PLLC (“Small Door”). Dkt. No. 33. Following an Order from this Court, Small Door responded on January 31, 2023. Dkt. No. 35. Separately, on February 2, 2023, Defendant 380 Second LLC filed a letter requesting a conference to discuss extending the fact discovery deadline. Dkt. No. 36. A conference was held on February 14, 2023.

Following the conference, the Court made the following rulings, for the reasons stated below as well as on the record:

1. The fact discovery deadline is extended until **March 31, 2023**. This period is to include the taking of Plaintiff’s deposition.
2. Small Door is directed to resolve the on-going issue of whether that entity has been correctly named by **noon** on **February 17, 2023**. Resolution of this issue may consist of (a) a voluntary stipulation correcting the tenant defendant’s name in the case caption, or (b) a detailed letter to the Court explaining why Small Door’s conduct in this case does not constitute a misrepresentation to the Court. See Fed. R. Civ. P. 11(b); 11(c)(3).
3. Small Door is directed to provide all other Parties with the email sent on November 28, 2022 by **noon** on **February 17, 2023**. If Small Door does not produce that email, along with any other documents supporting their

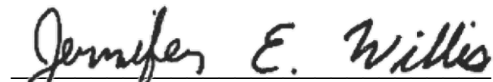
argument that discovery responses were made in November 2022, then Plaintiff is directed to inform the Court so further steps may be determined.

4. Small Door and Plaintiff are instructed to provide briefing on the question regarding financial discovery and any related burden-shifting by **February 22, 2023**. Briefing is limited to five pages per side.

The Parties are reminded that deadlines set by this Court are, in fact, binding orders designed to prevent undue delay and preserve judicial resources. Any future failure to comply with Court deadlines may result in Rule 11 sanctions.

SO ORDERED.

DATED: New York, New York
February 14, 2023


JENNIFER E. WILLIS
United States Magistrate Judge